

March 12, 1997

OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON

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REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL
AND VARIANCE DECISION.

SUBJECT: Department of Development and Environmental Services
File No. **S91P0012/L92VA005**
Proposed Ordinance No. **92-119**

KENDALL HEIGHTS
Preliminary Plat Application
Sensitive Areas Variance Request

Location: Generally between 116th Avenue Southeast and 118th Avenue
Southeast (if extended) and between Southeast 312th Street and
Southeast 308th Place (if extended)

Owner/
Applicant: Theodora Kendall
P.O. Box 5858
Kent, WA 98042

SUMMARY OF PLAT RECOMMENDATIONS:

Division's Preliminary: Approve, subject to conditions (modified)
Division's Final: Approve, subject to conditions (modified)
Examiner: Approve, subject to conditions (modified)

PRELIMINARY MATTERS:

Plat Application submitted: June 3, 1991

EXAMINER PROCEEDINGS:

Hearing Opened: March 4, 1997
Hearing Closed: March 4, 1997

Participants at the proceedings and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Office of the King County Hearing Examiner.

ISSUES ADDRESSED:

- Surface water drainage
- Sensitive areas variance

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

Owner: Theodora Kendall
P.O. Box 5858
Kent, WA 98064

Engineer: Jaeger Engineering
9419 South 204th Place
Kent, WA 98031
(206) 838-1937

STR: 9-21-5

Location: Generally between 116th Avenue Southeast and 118th Avenue Southeast (if extended) and between Southeast 312th Street and Southeast 308th Place (if extended)

Zoning: SR 9600

Number of Lots: 31

Typical Lot Size: Ranges from approximately 5,300 to 12,700 square feet

Proposed Use: Detached single-family residential

Sewage disposal: City of Auburn

Water Supply: City of Auburn

Fire District: King County Fire District #44 - Lea Hill

School District: Auburn School District #408

Application Date: June 3, 1991

2. Except as modified herein, the facts set forth in the King County Land Use Services Division's preliminary report to the King County Hearing Examiner for the March 4, 1997 public hearing are found to be correct and are incorporated herein by reference. Copies of the LUSD report will be attached hereto for submittal to the Metropolitan King County Council. The LUSD staff recommends approval of the applications, subject to conditions.

PRELIMINARY PLAT:

3. On June 3, 1991, a preliminary plat application was filed seeking approval for the Kendall Heights subdivision. As presently configured, the preliminary plat application envisions the creation of 31 lots on 14.6 acres within the SR 9600 zone. The property is located within the rapidly urbanizing Lea Hill area located east of the City of Auburn and lies northeast of the intersection of Southeast 12th Street and 116th Avenue Southeast.
4. A mitigated determination of nonsignificance was issued under SEPA authority by the King County Environmental Division for the Kendall Heights proposal on March 4, 1992. The threshold determination imposes two conditions of mitigation on the project in order to avoid drainage and erosional impacts. The first condition places upon the project the highly restrictive Soosette Creek stormwater retention/detention standard. This standard requires that the R/D facility for the site not discharge stormwater from the property at a rate greater than 70% of the pre-developed two-year/24-hour release rate for design storm events up to and including the 100-year/24-hour storm. The second MDNS conditions requires that all construction work involving clearing, grading and filling only occur during the drier months between April and November, with exposed soil areas to be vegetated or mulched during the winter season. A group of residents within the neighborhood near the plat filed a timely appeal of the threshold determination which focused primarily on issues attendant to surface water management. This appeal was denied pursuant to a decision of the Hearing Examiner dated October 26, 1994.
5. The Kendall Heights property is located at the headwaters of Tributary 0069 to the Green River. The upland slopes located east of the Green River are characterized by a number of drainage courses which drop approximately 300 feet from the plateau and transport runoff to the river. The headwater area for Tributary 0069 features a wetland system a portion of which lies on the Kendall Heights property. On the southern half of the site is a segment of Lower Green River Wetland No. 26, a Class 2 forested wetland. A second hydrologically connected forested wetland is located on the northern half of the property. These two wetlands evolve flow channels on the Kendall Heights site which empty into culverts beneath 116th Avenue Southeast. Under King County's sensitive areas requirements both wetlands will be protected by 50-foot native vegetation buffers.
6. As a consequence of runoff from urban density development, the upper reaches of the Tributary 0069 canyon have been recently subject to massive erosional landsliding and sedimentation activity culminating in a major channel failure during the winter 1990-1991 storm season. In August 15, 1994, a King County Basin Planning Program review of the Tributary 0069 canyon concluded that as a consequence of uncontrolled runoff at 112th Avenue Southeast "about 3,000 cubic yards of sediment have entered the channel from this erosion, making it the largest single sediment source in this sub-basin and dwarfing all nondevelopment related sources."
7. The regime of Surface Water Management controls imposed by King County since 1990 on new subdivision development will likely both alter and (to some degree) mitigate the range of drainage impacts attributable to previously constructed urban development. The effect of imposition of highly restrictive R/D requirements within this watershed will likely mean that, while overall flow quantities will increase, the actual durations of highly erosive peak flows may decrease. The Soosette detention standard being applied to R/D facilities for Kendall Heights and other nearby plats will reduce peak erosive flows below the predevelopment level.

In addition, the highly destructive flows which have entered the Tributary 0069 system in recent years from the north via the 112th Avenue Southeast right of way are expected to be moderated by the construction of the plat of Park Ridge Estates, which will tightline its flows through the canyon past the erosive section of the channel. With the implementation of restrictive over-detention requirements and other downstream conveyance mechanisms, over time the incidence of erosive storm events will probably decrease within Tributary 0069 while total flows will increase and dry season base flows will decrease.

8. Kendall Heights will also provide state of the art water quality treatment to flows exiting this site. In addition to the oversized detention ponds, treatment facilities will include a three-celled wetpond and biofiltration swales. An additional feature of the plat design is a drainage swale to be constructed along the eastern property line to pick up offsite flows and transport them to the wetlands. This swale should not only protect Kendall Heights' lots from saturated conditions but also create more positive drainage from adjacent properties to the east.

SENSITIVE AREAS VARIANCE:

9. On January 16, 1992, the Applicant also submitted a request for a variance from sensitive areas requirements. Because both onsite wetlands directly abut the existing public rights of way for 116th Avenue Southeast and Southeast 312th Street, construction of road frontage improvements required by King County will necessarily involve wetland filling adjacent to the roadways. In addition, some wetland filling will occur and the connecting channel between the two wetlands will need to be relocated in order to provide site access from 116th Avenue Southeast to Southeast 310th Street. Finally, the original variance application included a request for a wetland crossing to provide access to lots proposed along the northern plat property line. This request was later withdrawn in favor of a joint access tract connecting directly to 116th Avenue southeast for these northern lots.
10. An amendment to the variance application was submitted by the Applicant's engineer Jim Jaeger on July 5, 1996. This revision requested placement of biofiltration swales within the 50-foot buffer for the southern onsite wetland. The actual status of this request is somewhat unclear because it was neither mentioned within the staff report nor discussed at the public hearing by either staff or the Applicant. Nonetheless, a biofiltration swale within the wetland buffers appears upon the Applicant's conceptual drainage plan, and the instant decision with its attached conditions includes provisions for a wetland variance to construct the biofiltration swale at such location.
11. Although the proposal has been altered since these figures were calculated, the Applicant's mitigation plan estimates somewhat more than 9,000 square feet of wetland area will be subject to filling pursuant to the variance. The Applicant proposes to replace the wetland area lost at a ratio of 2:1 within an area located adjacent to the southern wetland at the plat's southwest corner.
12. Special circumstances applicable to the Applicant's property will deprive it of rights and privileges enjoyed by other properties in the vicinity under similar zone classification if the zoning code is strictly applied. These circumstances mainly derive from the fact that the two adjacent public roads, 116th Avenue Southeast and Southeast 312th Street, were constructed within the wetlands which lie on the property. Therefore, the wetlands are confined by the

road prisms, and the expansion of the roadway required by the King County Road Standards will necessarily increase the degree of wetland encroachment. Moreover, due to the existing development pattern there is no location from which site access can be provided to a public road without crossing a protected wetland feature. In like manner, the biofiltration swale which is required for the project must be located within the buffer for the southern wetland in order to obtain positive drainage from adjacent roadways.

13. The granting of the requested variance will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity. The purpose of the variance is to allow needed road improvements to be constructed and to provide water quality treatment to stormwater runoff before it enters into the downstream system. The provision of water quality treatment promotes the goals the purposes of the Sensitive Areas Code.
14. The sensitive areas variance will be the minimum necessary to accommodate permitted uses. The Applicant has sought and obtained a road variance to reduce the neighborhood collector width along 116th Avenue Southeast from 36 feet to 32 feet in order to minimize wetland fill. The biofiltration swale will not be permitted to intrude into the wetland buffer closer than 25 feet from the wetland edge, and the proposed access to Southeast 310th Street at 116th Avenue Southeast is designed to occur at a point where the wetland intrusion will be minimized.

CONCLUSIONS:

1. If approved subject to the conditions recommended below, the proposed subdivision makes appropriate provision for the public health, safety and welfare; serves the public use and interest; and meets the requirements of RCW 58.17.110.
2. The conditions of approval recommended herein, including dedications and easements, will provide improvements which promote legitimate public purposes, are necessary to serve the subdivision and are proportional to its impacts; are required to make the proposed plat reasonably compatible with the environment; and will carry out applicable state laws and regulations and the laws, policies and objectives of King County.
3. The variance request, and the conditions appended to the variance approval, both demonstrate that the proposed development will meet the requirements for granting a variance stated at KCC 21.58.020 and assure that such variance will not be a grant of special privilege inconsistent with the limitations placed upon similarly zoned properties in the vicinity.

PLAT RECOMMENDATION:

APPROVE the preliminary plat of Kendall Heights as revised and received March 31, 1995, subject to the following conditions of final plat approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication which includes the language set forth in King County Council Motion No. 5952.
3. The area and dimensions of all lots shall meet the minimum requirements of the SR-9600 zone

classification or shall be as shown on the face of the approved preliminary plat, whichever is larger. Minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Land Use Services Division.

4. The applicant shall obtain final approval from the King County Health Department.
5. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 11187.
6. The applicant shall obtain the approval of the King County Fire Protection Engineer certifying the adequacy of the fire hydrant, water main, and fire flow to meet the standards of Chapter 17.08 of the King County Code. If all lots are 35,000 square feet in size or more, they are exempt per KCC 17.08.030.
7. Final plat approval shall require full compliance with drainage provisions set forth in King County Code 9.04 and storm drainage requirements and guidelines as established by Surface Water Management. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. The following conditions represent portions of the Code requirements which apply to all plats.
 - a. Drainage plans and analysis shall comply with the 1990 King County Surface Water Design Manual. DDES approval of the drainage and roadway plans is required prior to any construction.
 - b. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
 - c. The following note shall be shown on the final recorded plat:

"All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # _____ on file with DDES and/or the Department of Public Works. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file."
8. In the southwest portion of the site three existing culverts under 116th Avenue SE convey drainage from the Tract A wetland to the west. These culverts are partially plugged with sediment buildup on the downstream ends. Notes shall be placed on the engineering plans to remove this sediment buildup per DDES approval. Permission from the adjacent property owner is required for any sediment removal west of the County right of way. If such permission cannot be obtained, the sediment removal is not required.
9. The following road improvements are required with this subdivision to be constructed according to the 1993 King County Road Standards:
 - a. SE 310th Street shall be improved to the urban subcollector standard.

- b. One Hundred Eighteenth Place SE shall be improved to the urban minor access standard.
 - c. FRONTAGE: The frontage of the site along SE 312th Street (north side only) shall be improved to the urban minor arterial standard, including provisions for a bike lane.
 - d. FRONTAGE: The frontage of the site along 116th Avenue SE shall be improved to the urban collector arterial standard. The existing pavement along the frontage now slopes entirely to the west. The existing pavement shall therefore be reconstructed to provide a crown in the center of the road as required by the Road Standards. Details of the construction, with adequate transitions, shall be shown on the engineering plans at engineering plat submittal. A striping plan is also required at engineering plan submittal, including a note on the plans to verify the striping layout with King County DOT - Traffic Division 72 hours prior to installation.
 - e. Tract E shall be designed as a private minor access tract.
 - f. A temporary barricade shall be placed at the eastern property boundary (SE 310th Street).
 - g. Modifications to the above road conditions may be made in conformance with the variance provisions of the 1993 King County Road Standards Section 1.08.
- 10. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.
 - 11. The applicant or subsequent owner shall comply with King County Code 27.40, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that, "All fees required by King County Code 27.40, Mitigation Payment System (MPS), have been paid"; if the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.
 - 12. There shall be no direct vehicular access to or from SE 312th Street or 116th Avenue SE (with the exception of Tract E and Lot 28).
 - 13. The planter island(s), if any, within the cul-de-sac shall be maintained by the abutting lot owners. This shall be stated on the face of the final plat.
 - 14. The following note shall be shown on the final engineering plan and recorded plat:

**RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE
AREA SETBACK AREAS**

Dedication of a Sensitive Area Tract/Sensitive Area Setback Area conveys to the public a beneficial interest in the land within the tract/setback area. This interest includes the

preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The Sensitive Area Tract/Sensitive Area Setback Area imposes upon all present and future owners and occupiers of the land subject to the tract/setback area the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the easement. The vegetation within the tract/setback area may not be cut, pruned, covered by fill, removed or damaged without approval in writing from King County Building and Land Development Division or its successor agency, unless otherwise provided by law.

The common boundary between the tract/setback area and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the Sensitive Area Tract/ Sensitive Area Setback Area. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required building setback line, unless otherwise provided by law.

15. All lots adjoining an area or having area with an SAT restriction shall be provided with an acceptable boundary delineation between the lot or portions of the lot and the area restricted with the SAT. Said boundary delineation shall be in place prior to any grading or clearing of the subdivision and remain in place until a dwelling is constructed on the lot and ownership transferred to the first owner-occupant.
16. The proposed subdivision shall comply with the Sensitive Areas Ordinance as outlined in KCC 21.54. Temporary marking, permanent survey marking, and signs as specified in KCC 21.54.120 shall also be addressed prior to commencing construction activities on the site.
17. If lot make-up area is required, calculations demonstrating compliance, including the provision of sufficient flat, dry, usable open space, must be submitted prior to approval of the plan and profile.
18. A homeowners' association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the sensitive area tract(s).
19. The stream and associated buffer shall be placed in a sensitive area tract as required by KCC 21.54.110.
20. The subdivision shall comply with the requirements of the Sensitive Areas (SAO) variance approved concurrently herewith.
21. A 15-foot-wide building setback line (BSBL) from the edge of the sensitive area buffers shall be shown on the face of the final plat.
22. The Applicant shall comply with KCC 19.38 by providing either a fee in lieu of open space or onsite suitable open space. The option chosen shall be specified at the time of engineering plan

submittal. If a fee in lieu of is chosen, details shall be worked out with DDES and Parks prior to recording. If onsite open space is provided, an open space plan shall be reviewed and approved by DDES and Parks prior to engineering plan approval.

23. The following conditions have been established under SEPA authority as necessary requirements to mitigate the adverse environmental impacts of this development. The applicant shall demonstrate compliance with these conditions prior to final approval.
- a. Due to the potential downstream impacts, a more restrictive drainage design shall be required for this subdivision. The stormwater retention/detention (R/D) facility shall be computed using SCS-based hydrograph method. The performance of the proposed R/D facility shall be such that discharge from the developed area shall be not more than 70% of the predeveloped 2-year/24 hour release for design storm events up to and including the 100-year/24-hour design storm event.
 - b. Construction work related to clearing, grading and filling required for the construction of building pads, roads, driveways, utilities, and drainage facilities shall occur only during the months of April through October. Prior to November 1st all areas of exposed soil must be vegetated, mulched, or otherwise protected from erosion potential. The final engineering plans and recorded plat shall contain notes to implement this time restriction. Future building permits and residential site plan approvals shall contain this same time restriction as stated on the recorded plat document.

VARIANCE DECISION:

A variance is GRANTED from sensitive areas wetland and stream requirements authorizing the following alterations as shown generally within the December 6, 1996, conceptual drainage plan:

- a. Filling within the onsite wetlands and their buffers along the western plat boundary to accommodate widening of 116th Avenue Southeast and construction of the access to Southeast 310th Street.
- b. Filling within the onsite wetlands and their buffers along the southern plat boundary to accommodate widening of Southeast 312th Street.
- c. Relocation of the stream bed adjacent to the 116th Avenue Southeast right of way connecting the two onsite wetlands.
- d. Construction of a biofiltration swale within the northern buffer of the southern onsite wetland.

The foregoing variance provisions are granted subject to the following conditions:

1. The final engineering plans shall include an accurate calculation of the area of wetlands and buffers proposed to be filled and demonstrate the feasibility of onsite mitigation therefor at a 2:1 replacement ratio.

2. No portion of the biofiltration swale proposed to be located in the southern wetland buffer shall be placed closer than 25 feet from the wetland edge.
3. As approved by LUSD, the biofiltration swale shall meander through the buffer so as to avoid removal of significant trees, and swale side slopes shall be replanted with wetland type vegetation.
4. Except as varied pursuant to this decision, the onsite wetlands shall be provided with an average 50-foot buffer from the wetland edge and the onsite class 3 stream shall be provided with a minimum 25-foot buffer from the ordinary high water mark.
5. Wetland buffer averaging may be used to accommodate a reasonable lot layout and to preserve existing natural vegetation. The applicant shall demonstrate that the overall amount of buffer area on-site equals or exceeds the required amount and that additional resource protection will be achieved.
6. A final enhancement/mitigation plan shall be submitted for review and approval by DDES along with the engineering plans for this proposal. The plan must include proposed final grades, hydrology, construction and monitoring notes and a detailed planting plan showing species, size and location.
7. Mitigation required for this project shall be completed prior to final approval. If this is not possible due to seasonal requirements or other circumstances beyond the applicant's control, the applicant may post a performance bond which guarantees that all required mitigation measures will be completed within one-year of plat construction.
8. Once the mitigation work has been completed to DDES's satisfaction, the performance bond may be replaced by a maintenance bond in a form and amount sufficient to guarantee satisfactory workmanship, materials and performance of the approved plan for a period of five years.
9. Upon satisfactory completion of the final monitoring inspection, DDES staff shall release the maintenance bond. If the project has not met the established performance standards at the end

of the monitoring period, the applicant shall be responsible for the preparation and implementation of a contingency plan to remedy the situation.

ORDERED this 12th day of March, 1997.

Stafford L. Smith, Deputy
King County Hearing Examiner

TRANSMITTED this 12th day of March, 1997, to the following parties and interested persons:

Linda & Lyle Blanchard
Lyle Gelbach
Jim Hanson
Jim Jaeger
Robert Keever
Theadora Kendall
Mark Ludden
John Merlino
John Mires

Dean & Debbie Pearson
Daryl Sampson
John L. Scott Land Dept
Anita & John Sheneberger
Randy Smythe
Susan & Don Stafford
Robert Striker
Paula Thrush

Laura Casey, Land Use Services Division
Kim Claussen, Land Use Services Division
Lisa Pringle, Land Use Services Division
Bruce Whittaker, Land Use Services Division
Craig Smith, DDES/LUSD
Rich Hudson, DDES/LUSD
Greg Borba, DDES/LUSD
Barbara Heavey, DDES/LUSD
Aileen McManus, DDES/LUSD
King Conservation District

NOTICE OF RIGHT TO APPEAL
AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) **on or before March 26, 1997**. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council **on or before April 2, 1997**. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient

if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless a proceeding for review pursuant to the Land Use Petition Act is commenced by filing a land use petition in the Superior Court for King County and serving all necessary parties within twenty-one (21) days of the date on which the Council passes an ordinance acting on this matter.

MINUTES OF THE MARCH 4, 1997, PUBLIC HEARING ON FILE NOS. S91P0012 AND L92VA005 - PRELIMINARY PLAT OF KENDALL HEIGHTS

Stafford L. Smith was the Hearing Examiner in this matter. Participating at the hearing were Kim Claussen, Bruce Whittaker, James Jaeger and Jim Hanson.

The following exhibits were offered and entered into the hearing record:

- Exhibit No. 1 Department of Development and Environmental Services Files No. S91P0012 and L91VA005
- Exhibit No. 2 Department of Development and Environmental Services preliminary report dated March 4, 1997
- Exhibit No. 3
 - a. Application dated April 4, 1991
 - b. SAO variance application dated January 16, 1992
- Exhibit No. 4 Environmental checklist dated April 4, 1991
- Exhibit No. 5 Mitigated declaration of nonsignificance dated March 4, 1992
- Exhibit No. 6 Affidavit of Posting indicating February 1, 1997, as date of posting and February 12, 1997, as the date the affidavit was received by the Department of Development and Environmental Services
- Exhibit No. 7 Plat map dated March 31, 1995 (revision)
- Exhibit No. 8 Land use map 720E and 721W
- Exhibit No. 9 Assessors maps SE & NE 8-21-5; NW and SW 9-21-5
- Exhibit No. 10 Examiner's decision - SEPA appeal dated October 26, 1994
- Exhibit No. 11 Wetland assessment by Haztox, Inc., dated September 28, 1990
- Exhibit No. 12 Conceptual wetland mitigation plan by Pentec dated August 8, 1991
- Exhibit No. 13 Stream assessment by Pentec, dated November 18, 1991

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Exhibit No. 14 Geotechnical study by Dennis Joole, dated June 18, 1991

Exhibit No. 15 Traffic study by Christopher Brown and Associates dated June 11, 1991

Exhibit No. 16 WSDOT letter dated January 8, 1992

Exhibit No. 17 Preliminary drainage calculations by Jaeger Engineering dated March 31, 1995

Exhibit No. 18 Revised conceptual drainage plan received December 6, 1996

Exhibit No. 19 KCRS variance L96VA0073

Exhibit No. 20 New Condition No. 21

SLS:daz

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